



Glenelg Shire Council
Minutes of the Council Meeting held on
Tuesday 23 July 2024 at 5:30 pm at
Glenelg Shire Offices
71 Cliff Street, Portland

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1. PRESENT

Cr Karen Stephens (Mayor), Cr Michael Carr, Cr Scott Martin, Cr Alistair McDonald, Cr Robyn McDonald, Cr John Northcott, and Cr Gilbert Wilson.

Also in attendance were the Acting Chief Executive Officer (Mr David Hol), Director Community Services (Ms Jayne Miller), Chief Information Officer (Ms Ann Kirkham), Chief Finance Officer (Ms Rebecca Campbell), Manager Planning and Development (Mr Matthew Berry), Manager Environment and Facilities (Mr Michael Doherty), Executive Assistant CEO Department (Ms Laura Van Oosten) and Executive Assistant Corporate Services (Ms Sarah Bretherton).

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Acknowledgement of Country.

3. RECORDING OF MEETINGS

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published. Council meetings may be livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

4. RECEIPT OF APOLOGIES

Chief Executive Officer (Mr Craig Niemann)
Director Infrastructure Services (Mr Stuart Husband)
Executive Manager Governance (Mr Brett Jackson)

5. CONFIRMATION OF MINUTES**5.1. CONFIRMATION OF MINUTES****Recommendation**

That the minutes of the Council Meeting held on Tuesday 25 June 2024, as circulated, be confirmed.

MOTION

MOVED Cr R McDonald

That the minutes of the Council Meeting held on Tuesday 25 June 2024, as circulated, be confirmed.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

5.2. RECORD OF COUNCILLOR BRIEFINGS

David Hol, Director Corporate Services

Executive Summary

This report provides for Council to receive a record of any recent Councillor Briefing sessions undertaken from the period commencing the 25 June 2024.

Recommendation

That Council receives the record of the Councillor Briefing held on the 25 June 2024, 4 July 2024, 9 July 2024 and 16 July 2024.

MOTION

MOVED Cr Carr

That Council receives the record of the Councillor Briefing held on the 25 June 2024, 4 July 2024, 9 July 2024 and 16 July 2024.

SECONDED Cr R McDonald

CARRIED

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

The Glenelg Shire Council Governance Rules as adopted on the 23 January 2024 require that a record is kept of each Councillor Briefing and that the record is tabled at an open Council meeting (excluding any confidential matters).

The record is to include a list of matters presented and any Conflict-of-Interest declarations together with any actions taken to resolve declared conflicts.

The objective of submitting the record to a Council meeting is to ensure public transparency in Council decision making processes.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Whilst not a legislative obligation, the records are tabled at a Council meeting in accordance with Governance Rule number 68.

- c. Consultation and/or communication processes implemented or proposed
Not applicable.

- d. Financial Implications and Collaboration

Councillor Briefings and the records keeping obligations are provided for within the adopted operational budgets.

- e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

1. Councillor Briefing Record 25 June 2024 [**5.2.1** - 1 page]
2. Councillor Briefing Record 4 July 2024 (1) [**5.2.2** - 1 page]
3. Councillor Briefing Record 9 July 2024 (1) [**5.2.3** - 2 pages]
4. Councillor Briefing Record 16 July 2024 [**5.2.4** - 1 page]

6. DECLARATIONS OF CONFLICT OF INTEREST

Cr Michael Carr declared a general Conflict of Interest in item 9.5 C110gelg - Planning Scheme Review 2023 Implementation and advised this prior to the meeting.

Mayor Cr Karen Stephens declared a general Conflict of Interest in item 9.6 Community Funding and Support Policy and advised this prior to the meeting.

7. COUNCILLOR ACTIVITY REPORTS**7.1. COUNCILLOR ACTIVITY REPORTS 8 JUNE TO 5 JULY 2024****Recommendation**

That Council notes the Councillor Activity Reports for the period 8 June to 5 July 2024.

MOTION**MOVED Cr Carr**

That Council notes the Councillor Activity Reports for the period 8 June to 5 July 2024.

SECONDED Cr A McDonald**CARRIED**

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Cr STEPHENS, MAYOR

Date	Meeting/Event	Location	Comments (Optional)
11.06.2024	Timber Towns Victoria (TTV) Strategic Planning session	Online	Chair, annual Strategic Planning session of committee members.
11.06.2024	Councillor Briefing session	Portland	Monthly strategic briefing session of Council.
13.06.2024	Green Triangle Freight Action Plan Committee meeting	Mt Gambier	Bi-monthly road/freight committee meeting.
13.06.2024	Meeting with Ian McKay UniSA	Mt Gambier	Meeting with UniSA Regional Manager of campus to discuss opportunity for learning.
13.06.2024	Casterton RSL meeting	Casterton	Invited to attend monthly meeting.
13.06.2024	Rotary Club of Casterton Changeover dinner	Casterton	Annual Service Club Changeover dinner

14.06.2024	Men's Health Week Schools Talk with guest Olympian - Brodi Turner	Portland	Welcome guests to the annual Men's Health Week event @ Alexander Park
18.06.2024	Nelson Volunteer Recognition Morning Tea	Nelson	Annual Community Volunteer Recognition event.
19.06.2024	Forestry Transition Implementation Committee meeting	Online	Regular meeting with state department to discuss forestry matters.
20.06.2024	Committee for Portland	Portland	Bi-monthly Board Meeting
20.06.2024	HAMR Energy meeting	Portland	Project update briefing
20.06.2024	Timber Towns Victoria meeting	Online	Chair - Bi-monthly meeting
20.06.2024	Lions Club of Casterton Changeover Dinner	Casterton	Annual Service Club Changeover dinner
21.06.2024	South West Victoria Alliance Board meeting	Warrnambool	Bi-monthly meeting of the six councils across the SW region to discuss strategic matters.
22.06.2024	Victorian Off-Road Championships organised by the Casterton Sporting Motorcycle Club	Corndale via Casterton	Attend statewide event on behalf of council
22.06.2024	Alice Bull 90 th Birthday celebration	Casterton	Representing council at 'Significant Birthday' recognition function.
24.06.2024	Hands Up Casterton meeting	Casterton	Meeting to update community members on activities of group
24.06.2024	Strathdownie Hall Committee AGM	Online	Acknowledge commitment by volunteers and elect new Executive Members at AGM

25.06.2024	Ordinary Council meeting	Portland	Monthly Council meeting.
27.06.2024	National Timber Councils Association (NTCA) AGM	Online	Attend AGM as Executive member of NTCA.
26.06.2024	Listening Post – Heywood	Heywood	Opportunity to meet with community members to listen to their challenges & opportunities for the community.
28.06.2024	Forest & Woods Community Association meeting	Online	Bi-monthly meeting
29.06.2024	Rotary Club of Portland and Portland Bay Changeover Dinner	Portland	Annual Service Club Changeover dinner
30.06.2024	Vinnie Joyce 90 th Birthday celebration	Casterton	Representing council at 'Significant Birthday' recognition function.
02.07.2024 - 04.07.2024	Australian Local Government Association (ALGA) National General Assembly	Canberra	Annual Australian Local Government Assoc forum for councils from across Australia.
05.07.2024	Australian Council of Local Government Annual forum	Canberra	Annual meeting of the ACLG including ministerial presentations.

Cr CARR

Date	Meeting/Event	Location	Comments (Optional)
08.06.24	Casterton Kelpie Muster	Casterton	
11.06.24	Councillor briefing session	Portland	

14.06.24	PDH Men's Health & Wellbeing Breakfast & Annual Charity Golf Event	Portland	We must continue to support and do more in the space of Men's mental health ; Bodi Turners story was inspiring
21/22.06.24	Rounds 7 & 8 of the Vic Off Roads Championships - Motorcross	Casterton	An amazing event with 400 riders and up to 2000 supporters and spectators. Congratulations must go to the Casterton Sporting Motorcycle club and the volunteer committee for putting on such a professional event.
25.06.24	Councillor briefing session	Portland	
25.06.24	Open Council Meeting	Portland	
27.06.24	Listening post-Heywood	Heywood	
04.07.24	Councillor briefing session	Portland	

Cr MARTIN

No report provided.

Cr A MCDONALD

No report provided.

Cr R MCDONALD

Date	Meeting/Event	Location	Comments (Optional)
11/06/24	Councillor Briefing	Portland	
19/06/24	Volunteer Event	Nelson	A very large contingent of volunteers in attendance. Many topics of discussion were addressed by Council staff and the Mayor.

20/06/24	C4P Winter Solstice Welcome to new Residents Event	Portland	Attendees were overwhelmed by the generous hospitality and warm welcome. Networking was proactive and positive.
25/06/24	Councillor Briefing	Portland	
27/06/24	Listening Post	Heywood	
04/07/24	Foreshore Building Meeting	Portland	
05/07/24	Budget process review with CEO	Portland	

Cr NORTHCOTT

Date	Meeting/Event	Location	Comments (Optional)
08.06.2024	Casterton Kelpie Muster	Casterton	
11.06.2024	Councillor Briefing	Portland	
18.06.2024	Nelson Volunteer Recognition Morning Tea	Nelson	
25.06.2024	Council Meeting	Portland	
27.06.2024	Heywood Listening Post	Heywood	
04.07.2024	Councillor Briefing	Portland	

Cr WILSON

No report provided.

8. NOTICES OF MOTION

Nil.

9. MANAGEMENT REPORTS

9.1. DELEGATIONS UPDATE JULY 2024

Director: David Hol, Director Corporate Services

Executive Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, the review of the Delegations and Authorisations has been undertaken. In accordance with Section 11(7) of the *Local Government Act 2020*, Council review delegations twice a year or in accordance with changes to various Acts.

The review includes the following Council Instruments of Delegations:

- Instrument of Delegation from Council to Members of staff (S6)
- Instrument of Delegation Waterway Manager for Local Port of Portland Bay
- Instrument of Delegation Committee of Management *Crown Land (Reserves) Act 1978*

In addition, the following Instruments have been amended and will come into force when signed by the Chief Executive Officer on Wednesday 24 July 2024:

- Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7)
- Instrument of Delegation of CEO powers, duties and functions (S13)
- Instrument of Sub-Delegation by CEO under *Marine Safety Act 2010*
- Instrument of Delegation by CEO for VicSmart Applications under the *Planning and Environment Act 1987* (S14)
- Instrument of Delegation under *Child Wellbeing and Safety Act 2005* (S20A)

Recommendation

That Council:

1. Approves the following Instruments which come into force upon this resolution being made and signed by the Council's Chief Executive Officer and the Mayor;
 - a. Instrument of Delegation from Council to Members of staff (S6)
 - b. Instrument of Delegation Waterway Manager for Local Port of Portland Bay
 - c. Instrument of Delegation Committee of Management *Crown Land (Reserves) Act 1978*
2. Approves that upon coming into force of the above instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

MOTION**MOVED Cr Wilson****That Council:**

1. Approves the following Instruments which come into force upon this resolution being made and signed by the Council's Chief Executive Officer and the Mayor;
 - a. Instrument of Delegation from Council to Members of staff (S6)
 - b. Instrument of Delegation Waterway Manager for Local Port of Portland Bay
 - c. Instrument of Delegation Committee of Management *Crown Land (Reserves) Act 1978*
2. Approves that upon coming into force of the above instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

SECONDED Cr A McDonald**CARRIED**

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

Section 11(1) of the *Local Government Act 2020* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddock's Lawyers Delegations and Authorisations update service. This review is based on the Maddock's proforma documents with appropriate alterations identified by each Director and their staff. Updates are provided to Council staff via email and updates to each provision and Instruments are outlined, a copy of the update is provided as an attachment to this report.

The objectives of delegation and authorisation reviews are to:

- Achieve good governance;
- Ensure statutory compliance by incorporating recent legislative changes;
- Facilitate responsive and efficient customer service;
- Deliver continuous improvement in service delivery and decision making; and
- Make minor wording enhancements, where necessary, to improve the quality of the documents.

a. Council Plan and Policy Linkage

Leading Glenelg - Create shared visions within the Community, ensuring agreed outcomes

b. Legislative, Legal and Risk Management Considerations

Section 47 of the *Local Government Act 2020* provides that the Chief Executive Officer a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

c. Consultation and/or communication processes implemented or proposed

Council staff listed in the schedule contained in the various Instruments of Delegation were provided with a copy of the draft delegations and authorisations and invited to provide comment prior to finalisation.

Documents are available for staff and Councillors who can view the Delegations prior to being adopted at the Council Meeting.

d. Financial Implications and Collaboration

Resources for preparation and coordination of regular delegation reviews are allowed for within the Corporate Services department.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

1. Provisions Committee of Management under the Crown Land_(Reserves)_ Act 1978_(Vic) [9.1.1 - 14 pages]
2. Provisions Instrument of Sub- Delegation by CEO under the Marine Safety Act 2010 [9.1.2 - 11 pages]
3. Provisions S 6 Instrument of Delegation_-_ Members of Staff [9.1.3 - 146 pages]
4. Provisions S 7 Instrument of Sub- Delegation by CEO [9.1.4 - 383 pages]
5. Provisions S 13 Instrument of Delegation of CEO powers__duties and functions [9.1.5 - 40 pages]
6. Provisions S 14 Instrument of Delegation by CEO for Vic Smart Applications and Future Homes [9.1.6 - 24 pages]
7. Provisions S 20 A Instrument of Delegation_(Child Wellbeing and Safety Act 2005) [9.1.7 - 5 pages]
8. Provisions Waterway Manager for Local Port of Portland Bay [9.1.8 - 17 pages]
9. Email letter to subscribers - January 2024 Update [9.1.9 - 2 pages]

9.2. LEASE AGREEMENT BETWEEN PORTLAND DISTRICT HEALTH AND GLENELG SHIRE COUNCIL

Director: David Hol, Director Corporate Services

Executive Summary

This report is to seek Council's approval for a new twelve (12) month lease agreement for the Fawthrop Community Centre, Hood Street Portland between Glenelg Shire Council and Portland District Health (PDH).

Recommendation

That Council:

1. Approves a new twelve (12) month lease with Portland District Health (PDH), for the Fawthrop Community Centre, Hood Street Portland.
2. Sets the rental figure at \$37,812.50 (incl. GST) for twelve (12) months, from 1 October 2024 to 30 September 2025.
3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease.

MOTION

MOVED Cr R McDonald

That Council:

1. **Approves a new twelve (12) month lease with Portland District Health (PDH), for the Fawthrop Community Centre, Hood Street Portland.**
2. **Sets the rental figure at \$37,812.50 (incl. GST) for twelve (12) months, from 1 October 2024 to 30 September 2025.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease.**

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

Portland District Health (PDH) have been occupying the Fawthrop Community Centre building since 1 October 2023 to provide Commonwealth Home Support Program's (CHSP) and specialist services across the Glenelg Shire.

Support was provided to PDH by providing a 50% rental discount for the first 6 months and 25% rental discount for the second 6 months totaling \$23,633.00 (inc GST) in rent payable for the 12-month term of the lease.

PDH are seeking to remain in the building and an agreement in principle has been reached to enter into another short-term tenure of a one-year, with an assessed annual market rental figure of \$37,812.50 (inc GST).

As the original lease was for an initial term of one year with no options to extend, a new lease is required.

Fawthrop Community Centre Building layout – highlighted areas indicate Portland District Health (PDH) Exclusive Use Areas.



a. Council Plan and Policy Linkage

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

b. Legislative, Legal and Risk Management Considerations

Section 115 of the *Local Government Act 2020* restricts Council's power to lease land in specific circumstances. The proposed lease complies with s.115. Ensuring a formal lease is executed provides Council with a legally binding agreement relating to the tenant's occupancy.

c. Consultation and/or communication processes implemented or proposed

Negotiations with PDH have occurred regarding the details of the proposed lease.

d. Financial Implications and Collaboration

The income received from the lease has been included within the budget provisions for 2024/25.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

9.3. AUDIT AND RISK COMMITTEE MINUTES 6 JUNE 2024

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to enable Council to:

- Receive the Minutes of Audit and Risk Committee Meeting held on 6 June 2024;
- Adopt the draft Strategic Internal Audit Program July 2024 to June 2027; and
- Adopt the draft Annual Work Plan year ending 30 June 2025.

Recommendation

That Council:

1. Receives the minutes of the Audit and Risk Committee Meeting held on 6 June 2024.
2. Adopts the draft Strategic Internal Audit Program July 2024 to June 2027.
3. Adopts the draft Annual Work Plan year ending 30 June 2025.

MOTION**MOVED Cr Northcott**

That Council:

1. **Receives the minutes of the Audit and Risk Committee Meeting held on 6 June 2024.**
2. **Adopts the draft Strategic Internal Audit Program July 2024 to June 2027.**
3. **Adopts the draft Annual Work Plan year ending 30 June 2025.**

SECONDED Cr Martin**CARRIED**

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

The role of the Audit and Risk Committee is to monitor, review and advise Council on matters of accountability and internal control affecting the operations of the Council. The Audit and Risk Committee also exists to assist the Council in discharging its responsibilities for monitoring financial management and reporting, maintaining a reliable system of internal controls, compliance with the *Local Government Act 2020* and fostering the organisation's ethical environment.

Section 6 (Functions and Responsibilities - Minutes) of the Audit and Risk Committee Charter requires that the Committee's minutes be presented to the next available Council Meeting. This ensures an effective communication mechanism between the Committee and Council to ensure that the Council is fully informed on the Committee's activities. The minutes of the Audit and Risk Committee meeting from the 6 June 2024 are now presented for Council's consideration.

Adoption of Draft Strategic Internal Audit Program July 2024 to June 2027

Section 4 (Functions and Responsibilities – Oversee Internal and External Audit Functions) of the Audit and Risk Committee Charter requires the Audit and Risk Committee to review and recommend a three-year Strategic Audit Program for approval by Council and all major changes to the plan. The draft Strategic Internal Audit Program was considered by the Audit and Risk Committee on the 6 June 2024 and is presented for Council's consideration.

Adoption of draft Annual Work Plan year ending 30 June 2025

Section 54(3) of the *Local Government Act 2020* and Section 2 (Functions and Responsibilities – Objectives and Responsibilities) of the Audit and Risk Committee Charter 2023 - 2025 requires the Audit and Risk Committee to adopt an annual work program. The draft Audit and Risk Committee Work Plan year was considered by the Audit and Risk Committee on the 6 June and is presented for Council's consideration.

The Audit and Risk Committee Meeting held on 6 June 2024 considered the following items:

Item No.	Management Reports (Title)
1.	Interim Management Letter for the Financial Year Ending 30 June 2024
2.	External Audit Strategy Year Ending 30 June 2024
3.	Strategic Internal Audit Program Status Update
4.	Draft Strategic Internal Audit Program July 2024 to June 2027
5.	Industry Update
6.	Internal Audit Report – Data Analytics
7.	Status of the Budget 2024/25 process
8.	WEX Motorpass Fuel Cards for the 2023/2024
9.	Glenelg Shire Council Project Update
10.	Draft Annual Work Plan Year Ending 30 June 2025
11.	Audit and Risk Committee Self Assessment Survey 2023/2024
12.	Security and Penetration Test
Item No.	Regular Reports (Title)
1.	Cyber Incident Report
2.	Glenelg Shire Council Financial Report March 2024
3.	Internal Audit Action List
4.	Risk, Workcover and OHS Quarterly Report
5.	Councillors Quarterly Expenditure Report
6.	CEO & EA Expenditure – Credit Card and Reimbursements
Item No.	Confidential Reports (Title)
1.	Council Litigation Matters

2.	Attestation of Compliance with Laws
Item No.	Other Business
1.	Update on Foreshore Building Project
2.	Staffing Update
3.	CEO Appointment Update
4.	Independent Audit and Risk Member Update
5.	Legislation Change Update

a. Council Plan and Policy Linkage

Leading Glenelg - Create shared visions within the Community, ensuring agreed outcomes.

Audit and Risk Committee Charter 2023 - 2025.

b. Legislative, Legal and Risk Management Considerations

Under section 53 of the *Local Government Act 2020*, Council is required to establish an Audit and Risk Committee and operate this committee under specific guidelines.

c. Consultation and/or communication processes implemented or proposed

The minutes from each meeting are provided to the Chairperson of the Audit and Risk Committee to review prior to being presented to the Audit and Risk Committee members for endorsement at the next available meeting.

d. Financial Implications and Collaboration

The 2023-2024 Council budget contains a provision to support the Audit and Risk Committee and to undertake an internal audit program during the financial year. Management and staff time to support the Committee and internal audit projects is an indirect cost.

e. Governance Principles

Local, regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Collaboration with other Councils (section 109 *Local Government 2020*) and Governments and statutory bodies is to be sought along with Financial and Resource Implications and Opportunities.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Innovation and continuous improvement is to be pursued. The ongoing financial viability of the Council is to be ensured.

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. Audit and Risk Committee Minutes 6 June 2024 - Public Record [9.3.1 - 49 pages]
2. Draft Risk Assessment and Strategic Internal Audit Program FINAL V 2 [9.3.2 - 25 pages]
3. Draft Audit and Risk Committee Annual Work plan 1 July 2024 to 30 June 2025 [9.3.3 - 6 pages]

Separately circulated as Confidential attachment – Audit and Risk Committee Minutes 6 June 2024.

9.4. RESPONSE TO NOTICE OF MOTION | RENEWABLE ENERGY | MAY 2024

Director: Craig Niemann, Chief Executive Officer

Executive Summary

This report responds to Council's Notice of Motion in May 2024, relating to the opportunities and impacts from renewable energy development in the Glenelg Shire.

Recommendation

That Council:

1. Receives the *Situation Report, Renewable Energy in the Glenelg Shire Council, July 2024*.
2. Progresses further work in partnership with key stakeholders in the region on the new Future Portland Project.
3. Authorises the Chief Executive Officer to negotiate and award a contract.

MOTION

MOVED Cr Carr

That Council:

1. **Receives the *Situation Report, Renewable Energy in the Glenelg Shire Council, July 2024*.**
2. **Progresses further work in partnership with key stakeholders in the region on the new Future Portland Project.**
3. **Authorises the Chief Executive Officer to negotiate and award a contract.**

SECONDED Cr Martin

Carried

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald, Cr R McDonald

AGAINST: NIL

Background/Key Information:

In May 2024, Mayor Cr Stephens moved a motion that outlined the following:

1. *That the Council requests a report from the Chief Executive Officer on the development of a study to assess the opportunities and impacts from the Renewable Energy development in the Glenelg Shire that will consider the following:*

- *Supply-chain jobs and skills*
 - *Housing and accommodation*
 - *Infrastructure*
 - *Community readiness*
2. *That the Report considers the different stakeholders that need to be involved and the opportunities for funding of the Study; and*
 3. *That the report be brought back to Council within the next 2 months.*

The motion was supported by the Council.

Attached is a *Situation Report, Renewable Energy, Glenelg Shire Council*. This report is a high-level desktop review undertaken by Council Officers over six weeks between May 2024 and July 2024. It seeks to respond to the Motion in the time frame outlined and has identified a new project opportunity that has emerged for the Council to consider.

There is an unprecedented new wave of investment occurring in the Portland area.

The Victorian State Government has outlined an ambitious agenda to transition to renewable energy with Victorian Renewable Energy Targets charted through to 2035.

This includes a Transition Plan with a mix of solar, wind and storage solutions, retirement of coal fire power stations, innovative solutions such as hydrogen and new technology, upgrades to critical infrastructure and a shift in policy to support changing consumer behaviour.

The Australian Government's Powering Australia plan sets Australian Government's emissions reduction targets at 43% by 2030 and net zero by 2050.

These targets will push transition to renewable energy at accelerated levels with many projects planned in or near Glenelg Shire to meet targets. It is important the Council considers the way in which it plans and prepares for the anticipated pipeline of projects and their cumulative impact on the community.

Within the Situation Report the following topics were reviewed in response to those listed in the Motion:

- Project Pipeline | List of known major projects.
- Strategic Context | Strategies and Plans in place to support growth.
- Glenelg Shire Council Townships and Communities | Snapshot of the diverse nature of the Shire.
- Transport Infrastructure | Air, Rail, Road, Port.
- Housing and Accommodation | 2051 Housing targets and current data.
- Early Years | A plan to respond to the State reform.
- Jobs and Training | Labour force readiness.
- Legislative Context | Renewable energy targets.
- Key Stakeholders | List of key agencies in the Portland region.
- Funding Opportunities | Portland Diversification Fund.

- Future Portland Project | Outline a potential project to respond to future investment.
- Recommendation.

The report highlights key strengths and advantages of the Glenelg Shire including:

- Transport infrastructure links.
- Growing and diverse industrial base.
- Room to grow with industrial and strategic land use zoning.
- Diverse townships and communities and lifestyle options.
- Broad and diverse stakeholder list.

Some main challenges identified include:

- Labour force readiness.
- Early Years Sector.
- Road infrastructure upgrades.
- Unknown cumulative impact of the pipeline of projects on the community.

In May 2024, an idea was presented by Wannon Water to better understand the cumulative impact of the project pipeline, both positive and negative in the Portland area and to support the planning of successful integrated growth that effectively manages risks and optimises opportunities.

Currently and informally referred to as the 'Future Portland Project', this project seeks to develop an interactive tool, drawing on project timing, workforce and infrastructure inputs to the period to 2030 and beyond.

The study is expected to include:

- detailed mapping and impacts of the potential projects.
- potential supply chain blockages which might curtail project activities.
- the strategic impacts and regional benefits of the projects.
- recommendations in the form of potential responses to the likely impact of the projects proceeding under a range of scenarios.
- inform other investment opportunities that will need to occur, such as infrastructure, housing, and services.

Outputs would support increased capability for Local and State government planning and advocacy, community engagement and change management, and proponent planning and collaboration. Overall, the outcome would be support for a more efficient and engaged transition to a flourishing Portland economy, community, and environment.

Governance, funding, and further details on the Future Portland Project are still being worked through. Funding would be sought through the Portland Diversification Fund (PDF).

The funding ratio for planning activities through the PDF is Victorian Government \$4:\$1 Other.

It is likely the Council will need to auspice the project.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well-planned neighbourhoods.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive, and well.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

- Renewable Energy (Jobs and Investment) Act 2017 (Vic).
- Other legislative considerations would form part of any future work.

c. Consultation and/or communication processes implemented or proposed

A stakeholder list is contained within the attached document, *Situation Report, Renewable Energy, Glenelg Shire Council, July 2024*.

d. Financial Implications and Collaboration

Costs associated with this project would need to be market tested and the project is subject to a successful funding application through the Future Portland Project. There would be a shared funding co-contribution through lead agencies to the Portland Diversification Fund. Funding would be drawn from operational budgets and expected to be up to \$10,000.

It is likely the Council will need to auspice the project.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

The transparency of Council decisions, actions and information is to be ensured. Collaboration with other Councils (section 109 *Local Government 2020*) and Governments and statutory bodies is to be sought along with Financial and Resource Implications and Opportunities.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The municipal community is to be engaged in strategic planning and strategic decision making.

Innovation and continuous improvement is to be pursued.

Attachment List

1. Situation Report Renewable Energy Glenelg Shire Council July 2024 [9.4.1 - 11 pages]

9.5. C110GELG - PLANNING SCHEME REVIEW 2023 IMPLEMENTATION

Cr Carr re declared a Conflict in item 9.5 C110gelg - Planning Scheme Review 2023 Implementation and left the meeting at 5:57 pm.

Director: Jayne Miller, Director Community Services

Executive Summary

Amendment C110gelg (the amendment) seeks to implement the immediate actions from the Planning Scheme Review 2023 into the Glenelg Planning Scheme (the planning scheme) and to make other necessary ordinance changes.

The amendment has been exhibited with one (1) submission received requesting changes to the amendment. The submission has been addressed through minor changes to the amendment documentation.

Post exhibition changes to the amendment documents are recommended for adoption by Council. Once adopted the amendment can be submitted to the Minister for Planning for approval.

Recommendation

That Council:

1. Makes post exhibition changes to Amendment C110gelg in accordance with Section 23 (1) (a) of the *Planning and Environment Act 1987*; and
2. Abandons part of Amendment C110gelg in accordance with Section 23 (1) (c) of the *Planning and Environment Act 1987*; then
3. Adopts Amendment C110gelg to the Glenelg Planning Scheme, pursuant to Section 29 of the *Planning and Environment Act 1987*; and
4. Submits Amendment C110gelg as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

MOTION

MOVED Cr Martin

That Council:

1. **Makes post exhibition changes to Amendment C110gelg in accordance with Section 23 (1) (a) of the *Planning and Environment Act 1987*; and**
2. **Abandons part of Amendment C110gelg in accordance with Section 23 (1) (c) of the *Planning and Environment Act 1987*; then**
3. **Adopts Amendment C110gelg to the Glenelg Planning Scheme, pursuant to Section 29 of the *Planning and Environment Act 1987*; and**

4. Submits Amendment C110gelg as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

SECONDED Cr A McDonald

CARRIED

FOR: Mayor Cr Stephens, Cr Martin, Cr Northcott, Cr Wilson, Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

The Planning Scheme Review 2023 (the review) was adopted by Council at the May 2023 Council Meeting (refer to Attachment 1). The review made recommendations to the Council for immediate action as well as further strategic work to be completed in the future.

In summary the amendment seeks to:

- Make administrative changes such as corrections, updating ordinance and references, and to align with the Ministerial Direction on the form and content of Planning Schemes.
- Implement the immediate recommendations of the Planning Scheme Review 2023.

Public exhibition of the amendment has been completed as detailed in Part C below. The amendment package is attached to the report (refer to Attachment 2 - Explanatory Report, Attachment 3 – Instruction Sheet, Attachment 4 – Planning Scheme Ordinance) including post exhibition changes as discussed in Part C below.

a. Council Plan and Policy Linkage

The amendment is consistent with the Council Plan objectives and seeks to implement key aspects of the Council plan and Community Vision into the planning scheme.

b. Legislative, Legal and Risk Management Considerations

The amendment is required to change the planning scheme ordinance. The process for a planning scheme amendment is set out in Part 3 of the *Planning and Environment Act 1987*.

The changes will only have statutory effect once inserted into the planning scheme.

c. Consultation and/or communication processes implemented or proposed

Stakeholder consultation occurred in drafting of the amendment with:

- relevant Council units (including the Airport Manager and airport design consultant).
- Environmental Protection Authority (EPA).
- Glenelg Hopkins Catchment Management Authority (GHCMA).
- Department of Transport and Planning (DTP).

The amendment has undergone formal exhibition as required by Part 3 of the *Planning and Environment Act 1987*. Public exhibition was held from 9 May 2024 to 11 June 2024. Newspaper (Portland Observer and Casterton News) notices have occurred. The complete amendment package has been available for viewing online and at the Portland, Heywood, and Casterton customer service centres.

One (1) submission requiring changes to the amendment was received during exhibition. Refer to Attachment 5 for a copy of the full submission. A summary of the changes requested by the submission include:

- changes to Schedule 3 to the Special Use Zone.
- changes at Clause 66.04 to include ‘(as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)’ after the ‘Department of Energy, Environment and Climate Action’ name.

In response to the submission, it is recommended that:

- ‘(as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)’ be added after the ‘Department of Energy, Environment and Climate Action’ name in the Schedule to Clause 66.04 as requested in accordance with Sect 23 (1) (a) of the Act.
- all changes to Schedule 3 to the Special Use Zone be abandoned by removing that schedule from the amendment documentation in accordance with Section 23 (1) (c) of the Act.

The requested changes to Schedule 3 to the Special Use Zone at Clause 37.01 are beyond the amendment’s scope. This is because the review and subsequent changes sought will require further consideration by Council, consultation with other Government Departments or Agencies, as well as public notice and exhibition.

The requested changes to Schedule 3 to the Special Use Zone will be considered as part of the preparation of the Dutton Way Strategic Framework Plan project that is currently in preparation and is intended to inform a future planning scheme amendment.

The submitter has advised they are satisfied with this approach.

The amendment package (Attachment 2 - Explanatory Report, Attachment 3 – Instruction Sheet, Attachment 4 – Planning Scheme Ordinance) has been

updated to include these post exhibition changes. By making these changes Council can adopt the remaining aspects of the amendment and submit the amendment for approval to the Minister for Planning and not require a Planning Panel.

d. Financial Implications and Collaboration

The project has been undertaken within the operational budget of the Planning Unit.

In making changes requested by the submission and abandoning changes to Schedule 3 of the Special Use Zone, means that Council does not incur the expense of a Planning Panel to review the submission which is a \$10-15,000 saving.

e. Governance Principles

Local, Regional, State and National plans and policies are to be taken into account in strategic planning and decision making.

Attachment List

1. Planning Scheme Review 2023 [9.5.1 - 33 pages]
2. C110gelg Explanatory Report [9.5.2 - 5 pages]
3. C 110 gelg Instruction Sheet - approval [9.5.3 - 2 pages]
4. C110gelg Ordinance combined [9.5.4 - 131 pages]
5. DEECA submission C110gelg [9.5.5 - 2 pages]

Cr Carr returned to the meeting at 6:02 pm.

MOTION

MOVED Cr Martin

That Council elect Cr Gilbert Wilson as temporary chairperson.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Stephens, Cr Martin, Cr Carr, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

9.6. COMMUNITY FUNDING AND SUPPORT POLICY

Mayor Cr Stephens re declared a Conflict in item 9.6 Community Funding and Support Policy and left the meeting at 6:03 pm.

Director: Jayne Miller, Director Community Services

Executive Summary

The purpose of this report is for Council to receive the feedback on the Community Funding and Support Policy and recommend that Council adopts the revised Council Community Funding and Support Policy. The updated policy seeks to provide greater clarity to funding eligibility and where grant funding is to be allocated.

Recommendation

That Council:

1. Receives the feedback responses received on the Community Funding and Support Policy.
2. Authorises officers to notify in writing, each person who has provided feedback to thank them and advise of any outcome of their feedback.
3. Adopts the Community Funding and Support Policy, as amended and provided as an attachment to this report.

MOTION

MOVED Cr Martin

That Council:

- 1. Receives the feedback responses received on the Community Funding and Support Policy.**
- 2. Authorises officers to notify in writing, each person who has provided feedback to thank them and advise of any outcome of their feedback.**
- 3. Adopts the Community Funding and Support Policy, as amended and provided as an attachment to this report.**

SECONDED Cr Carr

CARRIED

FOR: Cr Carr, Cr Martin, Cr Northcott, Cr Wilson, Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

Council was presented a draft Community Funding and Support Policy at the May 2024 Council Meeting and it was resolved that Council:

1. *Commence the community engagement process in accordance with Council's Community Engagement Policy;*
2. *Commence community consultation on 3 June 2024.*

The community consultation period was open for two weeks from Monday 3 June to Wednesday 19 June 2024. Five (5) responses via YourSay Glenelg were received.

In response to the feedback provided the key amendments within the Community Funding and Support Policy are as follows:

- Reference List updated to include Glenelg Shire Council Recreational Reserves and Recreational Facilities Access Policy, Active Your Way Glenelg Sport and Active Recreation Plan, Minor Community Grant and Aboriginal Education Scholarship Guidelines.
- Amendments to section 5.1.1: clarification on applications per funding round, clarification on acquittal completion.
- Amendments to section 5.1.2: clarification on applications from non-profit organisations operating from public halls, clarification on applications from Committees of Management to be eligible if not receiving State Government Funding, clarification on applications from eligible Committees of Management noting funding for community activities would be funded while asset maintenance will not be funded.
- Amendments to section 5.1.4: removal of information included in dot point two to not exclude those organisations running events on land where Council is Committee of Management, reorder dot points, clarification on applications from Committees of Management to be eligible if not receiving State Government Funding, clarification on applications from eligible Committees of Management noting funding for community activities would be funded while asset maintenance will not be funded.
- Amendments to section 5.2: account for the provision of additional State Government funded programs offered to the community (also included in section 5.2.9).
- Amendments to section 5.2.4: inclusion of contact email address for Council Grant Officer.
- Amendments to section 5.2.5: correction to the name of Glenelg Junior Sport Trust, inclusion of contact email address for Council Recreation Team, hyperlink Glenelg Junior Sport Trust Guidelines.
- Amendments to section 5.2.6: inclusion of recreational Reserves and Recreational Facilities Access Policy in reference table and further clarification of

venue hire requirements to be included in the Community Grants Guidelines, clarification on meeting room hire within Council facilities, further clarification of venue hire costs to be included in the Community Grants Guidelines.

- General amendment to the numbering throughout the policy.

Once the policy is adopted guidelines for making submissions to the funding streams will be updated accordingly and Round 1 2024-2025 Community Grant Program will open.

a. Council Plan and Policy Linkage

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well-planned neighbourhoods.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Community Grants processes are required to be undertaken in a fair and transparent manner.

c. Consultation and/or communication processes implemented or proposed

In line with Council's community engagement policy, a commitment to supporting an equitable engagement process, providing opportunities for public participation and involvement in planning and decision-making process was undertaken.

Consultation was open for a period of two weeks from Monday 3 June to Wednesday 19 June, with extensive promotion. This was through community group networks and key stakeholder contacts, social media, website campaigns and a media release. Community had an opportunity to submit a response through Glenelg Shire Your Say page and in hard copy, available at all Customer Service centres across the Shire.

d. Financial Implications and Collaboration

The Policy is within the allocated operational budget each financial year, which can be adjusted as Council finances allow or based on a decision of Council.

The Ageing Well Grant Program is a new fund (\$50,000) included in the 24/25 Budget.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Attachment List

1. Your Say Glenelg Feedback Community Funding and Support Policy [9.6.1 - 7 pages]
2. Community Funding and Support Policy [9.6.2 - 10 pages]

Mayor Cr Stephens returned to the meeting at 6:12 pm.

9.7. COUNCILLORS QUARTERLY EXPENDITURE REPORT

Director: Craig Niemann, Chief Executive Officer

Executive Summary

This Quarterly Expenditure Report is presented to the Council Meeting on a quarterly basis in the interests of accountability and transparency.

This report is for Councillor expenditure that has been incurred during the period 1 April 2024 to 30 June 2024.

Recommendation

That Council receives the Councillors quarterly expenditure report for the period 1 April 2024 to 30 June 2024.

MOTION

MOVED Cr R McDonald

That Council receives the Councillors quarterly expenditure report for the period 1 April 2024 to 30 June 2024.

SECONDED Cr Wilson

CARRIED

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

Background/Key Information:

In accordance with Section 40 of the *Local Government Act 2020*:

- (1) A Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied -
 - (a) Are bona fide expenses; and
 - (b) Have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
 - (c) Are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

Regulation 14 (db) of the *Local Government (Planning and Reporting) Regulations 2014* requires that expenses, including reimbursements of expenses for each Councillor and member of a Council Committee paid by the Council are to be categorised separately as:

- Travel expenses (Includes remote allowance) – TR;
- Car mileage expenses – CM;
- Childcare expenses – CC;
- Information and communication technology – IC; and
- Conference and training expenses – CT.

Under Section 41(2)(d) of the *Local Government Act 2020*, Council must have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*. This is a new requirement under the *Local Government Act 2020*, therefore is not addressed in *Regulation 10e, f & g of the Local Government (Planning and Reporting) Regulations 2020*.

Documentation is required to provide evidence of the expense specifying the business purpose for each claim.

Councillors are also required to maintain a logbook with each entry providing a clear description of the business purpose.

Following is a table of expenditure that has been incurred by Councillors during the period 1 April 2024 to 30 June 2024.

Note: In some instances, journaling of some items may not necessarily appear in the month that they were expended and will appear in the next quarterly report.

Councillor	TR	CM	CC	IC	CT	Grand Total	YTD
Carr				\$303		\$303	\$1,373
Hawker				\$52		\$52	\$573
Martin				\$303		\$303	\$8,161
A McDonald				\$251	\$14	\$265	\$484
R McDonald				\$251	\$14	\$265	\$610
Northcott	\$227			\$271		\$498	\$1,575
Smith				\$52		\$52	\$575
Stephens	\$7,402			\$575	\$1,433	\$9,410	\$31,408
Wilson	\$46	\$141		\$372		\$559	\$3,137
Grand Total	\$7,676	\$141		\$2,429	\$1,460	\$11,706	\$47,896

In accordance with Section 39 of the *Local Government Act 2020*, Councillors are entitled to receive an allowance whilst performing their duty as a Councillor. The Mayor or a Deputy Mayor are also entitled to receive a higher allowance with the Mayor being provided full use of a vehicle.

Following is a table of Councillor allowances paid for the period 1 April 2024 to 30 June 2024.

Councillor	Amount	YTD
Carr	\$7,217	\$28,869
Hawker		\$7,389
Martin	\$8,219	\$52,866
A McDonald	\$8,219	\$21,533
R McDonald	\$8,219	\$21,533
Northcott	\$8,219	\$30,216
Smith		\$11,583
Stephens	\$26,356	\$87,429
Wilson	\$8,219	\$32,877
Grand Total	\$74,669	\$294,295

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

- *Local Government Act 2020* – Section 39 Allowances for Mayors, Deputy Mayors and Councillors.
- *Local Government Act 2020* – Section 40 Reimbursement of Expenses of Councillors and members of a delegated committee.
- Regulation 10 e, f & g of the *Local Government (Planning and Reporting Regulations 2020)*.
- *Carers Recognition Act 2012*.

c. Consultation and/or communication processes implemented or proposed

Councillor Expenditure is reported on a quarterly basis to the Council Meeting and Audit and Risk Committee and the quarterly expenditure is accessible via Council's website.

Councillor Expenditure is also reported annually in Council's Annual Report.

d. Financial Implications and Collaboration

Councillor Allowances and Councillor Expenditure are accounted for in the 2023-2024 Annual Council Budget.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

The ongoing financial viability of the Council is to be ensured.

Attachment List

Nil

9.8. PORTLAND FORESHORE COMMUNITY PAVILION - PROJECT STATUS AND SITING

Director: Stuart Husband, Director Infrastructure Services

Executive Summary

The purpose of this report is to present to Council the preliminary results of tendering for construction of the Portland Foreshore Community Pavilion at the existing Portland Yacht Club location, and to discuss developments regarding project budget and alternate locations.

Recommendation

That Council:

1. Endorses the halting of the Portland Foreshore Community Pavilion project tender for the construction of a new building at the Portland Yacht Club location.
2. Undertakes an evaluation and report back to Council with recommendations for the three Lee Breakwater Road locations: (a) Portland Yacht Club location, (b) new location south of the Maritime Discovery Centre, and (c) new location adjacent to TS Henty.
3. Retains the existing building detailed design and provide one alternate concept design and associated costings for consideration.
4. Seeks to secure the current \$5.0M grant funding from the Regional Infrastructure Fund for the project through to its completion.
5. Seeks additional funding internally and/or externally to meet the recommended location, design and construction requirements of the new Portland Foreshore Community Pavilion.

MOTION

MOVED Cr R McDonald

That Council:

- 1. Endorses the halting of the Portland Foreshore Community Pavilion project tender for the construction of a new building at the Portland Yacht Club location.**
- 2. Undertakes an evaluation and report back to Council with recommendations for the three Lee Breakwater Road locations: (a) Portland Yacht Club location, (b) new location south of the Maritime Discovery Centre, and (c) new location adjacent to TS Henty.**
- 3. Retains the existing building detailed design and provide one alternate concept design and associated costings for consideration.**

4. **Seeks to secure the current \$5.0M grant funding from the Regional Infrastructure Fund for the project through to its completion.**
5. **Seeks additional funding internally and/or externally to meet the recommended location, design and construction requirements of the new Portland Foreshore Community Pavilion.**

SECONDED Cr A McDonald

Cr Carr moved an amendment to the tabled motion to remove location (b) south of the Maritime Discovery Center from dot point 2.

The mover and seconder did not agree with the amendment.

MOTION

MOVED Cr Carr

That Council:

1. **Endorses the halting of the Portland Foreshore Community Pavilion project tender for the construction of a new building at the Portland Yacht Club location.**
2. **Undertakes an evaluation and report back to Council with recommendations for the three Lee Breakwater Road locations: (a) Portland Yacht Club location, and (c) new location adjacent to TS Henty.**
3. **Retains the existing building detailed design and provide one alternate concept design and associated costings for consideration.**
4. **Seeks to secure the current \$5.0M grant funding from the Regional Infrastructure Fund for the project through to its completion.**
5. **Seeks additional funding internally and/or externally to meet the recommended location, design and construction requirements of the new Portland Foreshore Community Pavilion.**

SECONDED Cr Wilson

Cr Wilson called a point of order at 6:48pm that Councillors haven't yet spoken to the amendment.

Cr Wilson called a point of order at 6:51pm to confirm that the amended motion was to keep the tabled motion in its entirety except to remove location (b) south of the Maritime Discovery Center from dot point 2.

FOR: Cr Carr, Cr Wilson, Mayor Cr Stephens

AGAINST: Cr Martin, Cr A McDonald, Cr R McDonald, Cr Northcott

LOST

As the amended motion was LOST, the original motion was put to the vote.

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Wilson, Cr A McDonald and Cr R McDonald

AGAINST: Cr Northcott

CARRIED

DIVISION:

Mayor Cr Stephens, Cr Martin, Cr A McDonald, Cr R McDonald, Cr Carr, Cr Wilson voted FOR the MOTION.

Cr Northcott voted AGAINST the MOTION.

Background/Key Information:

The Portland Foreshore Community Pavilion (multipurpose facility) will deliver a multipurpose community and club facility with ocean-facing balconies for events and functions, hospitality, and retail facilities, including a commercial component. Works to complete this facility were to include the design and construction of the two-storey building, landscaping and car parking, and the demolition and removal of two (2) existing buildings.

Glenelg Shire Council was allocated \$5.0M from the Regional Infrastructure Fund in 2021 towards the provision of a multipurpose facility as part of the revitalisation of Portland's foreshore and in line with the Portland Foreshore Master Plan. With Council funding, the total budget for the facility is \$6.2M. Council has already received \$4.0M in funding and has another \$1.0M outstanding which is subject to completion of project milestones.

Independent quantity surveyor (QS) reports estimated the costs to design and construct the building were within the original \$6.2M budget. Unfortunately, the budget was not indexed at the same rates (5%-6%) over three years but indicated the project budget remained viable before going to tender for construction.

March 2021 QS Cost Estimates

	2021	2022	2023	2024
Low	\$ 5,252,792	\$ 5,410,376	\$ 5,572,687	\$ 5,739,868
High	\$ 5,972,493	\$ 6,151,668	\$ 6,336,218	\$ 6,526,304

November 2023 QS Cost Estimates

	2023	2024	2025
Low	\$ 5,819,000	\$ 6,109,950	\$ 6,415,448
High	\$ 5,978,000	\$ 6,276,900	\$ 6,590,745

The project commenced in 2021 with the engagement of a designer (architectural firm) and contract superintendent to independently oversee the two separate design and construction phases. Extensive community and stakeholder consultation was carried

out based on three possible locations and three potential concept designs. This resulted in a preferred concept design and location on the foreshore to the northeast of TS Henty (naval cadet unit).

In early 2023, Department of Environment, Energy and Climate Action (DEECA) raised concerns about the building project location and compliance with Siting and Design Guidelines for Structures on Victorian Coast (under the Marine and Coastal Act requirements). Specifically, concerns related to exposure to coastal hazards, building size, allocation of building space / functional dependency on the foreshore and the recently released Victorian Government sea-level rise and coastal inundation modelling.

In July 2023, DEECA, as the landowner, provided '*in principle*' approval for moving the new building to the existing Portland Yacht Club location (one of the original three location options and the community's second choice location). The concept design was also amended to allow for the new location requirements of the building and the boatyard was moved to the north end of the building. Several other design changes were flagged to enable the building to proceed.

On 24 October 2023, Council endorsed the new multipurpose facility to be placed where the existing Portland Yacht Club is located, and to inform the community of the change in location. The primary reason for the change to the Portland Yacht Club location was based on concerns that the pathway to achieving MACA consent in the previously preferred location would be prohibitive due to concerns previously highlighted by DEECA.

On 28 November 2023 and following substantial consultation with key stakeholders and the community on location and building design, Council endorsed both the finalisation of the detailed designs and proceeding to tender for the construction of the new building.

In early 2024, Council became aware of several media articles and a representation to the office of the Minister for Regional Development. Both Department of Jobs, Skills and Regions (DJSIR) and DEECA were involved in further enquiries with key stakeholders and other groups. The primary concerns focused on the style of building and location of the new building. DEECA subsequently carried out a high-level desktop assessment of several locations, identifying the most viable under the Marine and Coastal Act. The Portland Yacht Club location is still scored highly in DEECA's assessment rating 7 out of 10. The Maritime Centre site rated 5 out of 10 and the site adjacent TS Henty rated 7.5 out of 10.

DJSIR, DEECA and Council kept in constant communication with each other while the project proceeded in accordance with Council endorsed resolutions. After completing the detailed designs in collaboration with key stakeholders, the tender for construction was released and tender submission reviews commenced in May 2024.

Several tenders for construction were received and evaluated on the submitted prices but are subject to further evaluation and negotiation.

Over the past three years, Council has expended \$0.5M covering superintendency, detailed design costs and costs associated with the location change. There is an additional \$0.6M required to cover commitments and expected costs over the construction period for minor design / material changes, temporary boat storage and

amenities for Portland Yacht Club use during construction, tram signaling at the carpark exit, stormwater drainage and carpark, and other associated works.

Therefore, there is a current budget shortfall of \$1.1M including contingency to construct the building at Portland Yacht Club location. Council has sought funding options both internally and externally and has not been able to secure the \$1.1M shortfall.

In recent discussions with DJSIR and DEECA and in line with feedback received, it is also necessary to consider the existing Portland Yacht Club location along with two specific locations as shown in the picture below: (i) new location south of the Maritime Discovery Centre, and (ii) new location adjacent to TS Henty. The TS Henty site was identified by DEECA as a possible site for the pavilion following a desktop assessment.

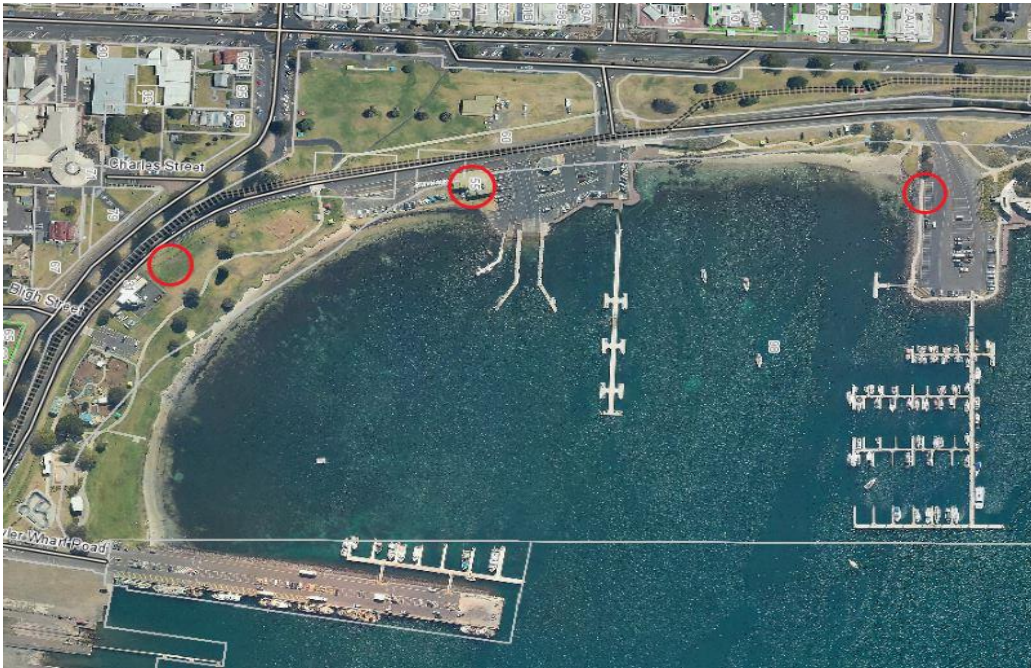
Locating and building at the two alternate locations is estimated at a \$1.8M to \$2.3M budget shortfall using the existing building designs. This may vary to be significantly more following cultural heritage, geo-technical, civil engineering and other preparatory expert advice. If consideration needs to be given to a totally new or substantially different building design an additional \$0.4M to \$0.6M may be required.

Therefore, to continue with the Portland Yacht Club location the overall budget needs to be increased to \$7.3M.

A new location will increase the initial estimated budget needed to \$8.2M to \$8.9M and would need to be indexed annually at 5%-6%. The TS Henty site was identified by DEECA as a possible site for the pavilion following a desktop assessment.

Given these factors, location – including the current Portland Yacht Club location – and building concept designs should be re-evaluated and once determined, funding opportunities sought to meet the shortfall. This would be contingent on the Minister for Regional Development agreeing to extend the terms of the current \$5.0M funding agreement, as well as support from DEECA for one of the three locations.

It is estimated the time to complete the groundwork for location, concept designs, community consultation and key stakeholder engagement (including new key stakeholders) would be at least 12 months. In effect, a new location requires a total project reset. Further discussion on the three options for Council to consider are detailed below.



Options available to Council:

Option 1

Proceed with the tender evaluation of the Tenders received for the Portland Yacht Club site. There has been a thorough process of community engagement on this site, the Council has considered this and made a decision to proceed with the tendering for this site, tenders have been received, reviewed and could determine to proceed with a preferred tenderer – knowing that there will be a need to find about \$1.1M to cover further costs of delivery.

Option 2

Halt the tender process and undertake further stakeholder engagement and assessment of two sites being the new location south of the Maritime Discovery Centre, and the new location adjacent to TS Henty.

Option 3

Halt the tender process and undertake further stakeholder engagement and assessment of the new location adjacent to TS Henty.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

b. Legislative, Legal and Risk Management Considerations

All legal and legislative requirements have been considered.

A Marine and Coastal Act Consent is still required, regardless of location, before detailed design can be approved and construction permitted to commence.

Risks associated with modelled sea-level rises were identified by DEECA and the Portland Yacht Club location has been agreed 'in principle'. No other locations have DEECA '*in principle*' approval.

Critical path for the project is: location —> detailed design —> MACA consent —> planning permit —> building permit —> demolition permit (x 2) —> construct

Funding availability and the time impact on cost must be considered over the life of the project.

c. Consultation and/or communication processes implemented or proposed

Communications to inform existing contractors, tenderers, key stakeholders, and the community of the impact of these changes will follow the Council decision.

Community consultation and key stakeholder engagement processes will also follow the Council decision.

d. Financial Implications and Collaboration

Glenelg Shire Council has a current funding agreement for \$5M with the Regional Infrastructure Fund for the provision of the Portland Foreshore Community Pavilion (multipurpose facility).

Any further significant delays to this project may put the funding at risk. Both DJSIR and DEECA are working with Council to minimise these risks.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The ongoing financial viability of the Council is to be ensured.

Attachments

Nil

10. URGENT BUSINESS

Nil

11. QUESTION TIME**11.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING**

Nil

11.2. QUESTIONS FROM MEMBERS OF THE COMMUNITY

1. Henty St Amenities, Portland Foreshore Multipurpose Facility and Customer Satisfaction Survey

Mr Matthew Jowett of Portland asked the following questions:

- a. *In light of recent events which were reported in the Portland Observer on the 19th of July, is the Council reviewing the opening hours of the public amenity rooms in Henty Street to better serve the needs of the public?*

Mayor Cr Stephens advised that the Council has reviewed the opening times of the public amenities on a number of occasions. We continue to balance the needs of the community and the travelling public along with the challenging and inappropriate behaviour from a small number of people.

We are disappointed with the actions of one person that was reported in the local paper this week. There is no intention to change the opening hours as a result of one person's actions. Council is proposing to replace those amenities and the upgraded design will provide an option for longer opening hours whilst limiting anti-social behaviour.

In the last 24 hours we have had more damage and vandalism to that particular amenity block, and it is really challenging for this Council at that particular location.

- b. *In relation to the foreshore multipurpose building project, that is now in its fourth year with no actual construction even planned to begin yet, does this Council feel that the entire project could have been better handled given what has transpired over the last three years?*

Mayor Cr Stephens advised that for your second question Mr Jowett, you have asked about the Multi-Purpose Centre and Pavilion, I hope that tonight's discussion has answered all of those questions and you don't need me to refer to that question any longer.

- c. *With satisfaction with this Council's overall performance continuing to drop from last year's disappointing result, what concrete measures will be undertaken between now and the next Council election in October this year to improve the public view of Council?*

Mayor Cr Stephens noted that you are right Mr Jowett, Council is disappointed in the overall results and takes ownership of that. It is important to note that Customer Service and Waste Services were rated really high in the survey, and that the survey's were

undertaken earlier this year and Council has imposed a number of new remedies to provide information to the public through our Newsletter and a number of different forums.

We also have the appointment of our new CEO who starts next week and we are looking forward to the leadership within the organisation and some stability now in having a new CEO for the next 5 years, so we welcome that confidence back into the community.

12. CONFIDENTIAL REPORTS

12.0. CONFIDENTIAL REPORTS - CLOSE MEETING

Recommendation

That the Council Meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider the following reports:

12.1 Contact 2024-25-07 Hire of Plant & Equipment to the Glenelg Shire Council.

12.2 Granicus subscription renewal – Council websites.

MOTION

MOVED Cr Wilson

That the Council Meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider the following reports:

12.1 Contact 2024-25-07 Hire of Plant & Equipment to the Glenelg Shire Council.

12.2 Granicus subscription renewal – Council websites.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Stephens, Cr Carr, Cr Martin, Cr Northcott, Cr Wilson,
Cr A McDonald and Cr R McDonald

AGAINST: Nil

13. RESUMPTION OF PUBLIC MEETING

Following the consideration of confidential items the Council Meeting was re-opened to members of the public at 7:09pm.

14. CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7:09 pm.

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